

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division**

---

NATIONAL COUNCIL FOR ADOPTION, )  
BUILDING ARIZONA FAMILIES on behalf )  
of itself and its birth-parent clients, birth )  
parents D.V. and N.L., and baby boy T.W. by ) Civil Action No. 1:15cv00675  
and through his guardian ad litem PHILIP )  
(JAY) MCCARTHY, JR., )  
Plaintiffs, )  
v. )  
SALLY JEWELL, in her official capacity as )  
Secretary of the United States Department of the )  
Interior, KEVIN WASHBURN, in his official )  
capacity as Assistant Secretary of Indian Affairs, )  
BUREAU OF INDIAN AFFAIRS, and the )  
UNITED STATES DEPARTMENT OF THE )  
INTERIOR, )  
Defendants. )  
\_\_\_\_\_  
)

**DEFENDANTS' MOTION TO TRANSFER VENUE**

Pursuant to 28 U.S.C. § 1404(a), Defendants Sally Jewell, Kevin Washburn, the Bureau of Indian Affairs, and the Department of the Interior, by and through their attorneys, hereby move to transfer this action to the United States District Court for the District of Arizona, where this action can be litigated alongside (or even consolidated) with a related case filed in that jurisdiction.

The facts and authority in support of this motion are set forth in the accompanying memorandum of law. Counsel for Defendants consulted with counsel for Plaintiffs on this motion on July 28, 2015 and again on July 30, 2015, and Plaintiffs oppose.

DATE: July 30, 2015

Respectfully Submitted,

JOHN C. CRUDEN  
Assistant Attorney General  
Environment and Natural Resources Division  
United States Department of Justice

DANA J. BOENTE  
United States Attorney

By: \_\_\_\_\_/s/\_\_\_\_\_

DENNIS C. BARGHAAN, JR.  
Assistant U.S. Attorney  
2100 Jamieson Avenue  
Alexandria, Virginia 22314  
Telephone: (703) 299-3891  
Fax: (703) 299-3983  
Email: [dennis.barghaan@usdoj.gov](mailto:dennis.barghaan@usdoj.gov)

STEVEN M. MISKINIS  
Indian Resources Section  
CHRISTINE W. ENNIS  
Law and Policy Section  
Environment and Natural Resources Div.  
United States Department of Justice  
P.O. Box 44378  
Washington, D.C. 20026  
Email: [steven.miskinis@usdoj.gov](mailto:steven.miskinis@usdoj.gov)  
Telephone: (202) 305-0262  
Fax: (202) 305-0275

ATTORNEYS FOR DEFENDANTS

**CERTIFICATE OF SERVICE**

I hereby certify that on July 30, 2015, this DEFENDANTS' MOTION TO TRANSFER VENUE was filed electronically with the Clerk of Court through the Court's CM/ECF system, which will send notification of this filing to the following recipient:

Jacob Stephen Siler  
Gibson Dunn & Crutcher LLP (DC)  
1050 Connecticut Avenue NW Suite 300  
Washington, DC 20036  
Email: [Jsiler@gibsondunn.com](mailto:Jsiler@gibsondunn.com)

DATE: July 30, 2015

By: \_\_\_\_\_/s/\_\_\_\_\_  
DENNIS C. BARGHAAN, JR.  
Assistant U.S. Attorney  
2100 Jamieson Avenue  
Alexandria, Virginia 22314  
Telephone: (703) 299-3891  
Fax: (703) 299-3983  
Email: [dennis.barghaan@usdoj.gov](mailto:dennis.barghaan@usdoj.gov)

ATTORNEY FOR DEFENDANTS